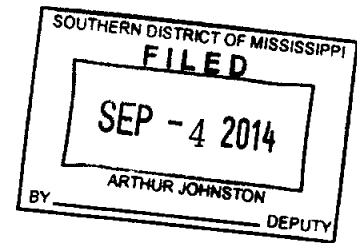


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



DOUGLAS HANDSHOE

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CASE NO. 14-cv-159

VERSUS

JUDGE: KEITH STARRETT

DANIEL G. ABEL

MAG. JUDGE: MICHAEL T. PARKER

OPPOSITION TO MR. HANDSHOE'S MOTION TO STRIKE
MR. ABEL'S MOTION TO SEAL EXHIBITS UNDER FED. R. CIV. 5.2 (A)

Mr. Daniel G. Abel has moved the Honorable Court to review the drawings which Mr. Handshoe has placed into the record of the original complaint [Rec. doc.1. passim] which are evidence of Mr. Handshoe's ongoing cyber-stalking of a minor child and his father, which actions have already been reported to the United States Department of Justice, and discussed with the United States Attorney and the Federal Bureau of Investigation. However the exhibit referencing the minor child is still viewable through PACER. Mr. Handshoe has moved the Court to strike Mr. Abel's motion to seal the minor child's drawings which are at issue in this and three other matters.

The exhibit Mr. Handshoe filed with his original petition in this matter is the identical materials and drawing he posted on slabbed.org that the 24th Judicial District Court for the Parish of Jefferson, in the State of Louisiana, ordered removed from the internet [Exhibit No. 1 - Judgment] [Exhibit No. 2 - Affidavit of Chris E. Yount].

THE COURT IS AGAIN ASKED TO PROTECT THE MINOR UNDER FRCP 5.2 (A)

Mr. Abel again moves the Court to issue all appropriate orders and require all appropriate actions under FEDERAL RULE OF CIVIL PROCEDURE 5.2 (a) and all other code articles,

uniform or local rules.

The salient facts include that the record of the divorce proceeding has been ordered sealed by a judge of Louisiana's 24th Judicial District, and that the Defendant has been ordered by that court to seek removal of a sexually-explicit drawing authored by the minor child involved in the divorce from publication on the Plaintiff's web site, "Slabbed." Plaintiff is aware of the sealing order.

Plaintiff frequently uses the PACER system. The PACER system publishes the following advisory: IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. This requirement applies to all documents, including attachments.

Congress's ratification of Rule 5.2(a) makes clear its judgment that the interest of minors in privacy is greater than the public's interest in learning their names, even when there is no particular threat to the juvenile's well-being, which is far from the case here.

The Federal Rules of Civil Procedure reflect a public policy of protecting juveniles from the harm that can befall them as a result of disclosing their identities in the course of litigation.

In this instance, Plaintiff has falsely accused the minor child of being molested by his father and, in a bizarre conspiracy theory only comprehensible to the Plaintiff, by a series of gay men. Plaintiff has written that the drawing depicts the minor child being sodomized by "gay robots." This was not the conclusion either of the Louisiana judge or the court-ordered psychological expert [Exhibit No. 2 - Affidavit of Chris E. Yount].

The harm being done to the minor child by repeatedly publishing—first on Slabbed and now on PACER—allegations that the child has been molested and sodomized by multiple parties cannot

be overstated [Exhibit No. 2 - Affidavit of Chris E. Yount].

Mr. Handshoe's statement that undersigned counsel's pleading lacks "civility" is again probative of his sociopathic conduct in light of what he has published about Mr. Yount and a number of other persons, including but not only racists attacks on African-American judges.

Mr. Handshoe's filing of the minor child's drawing in this matter is simply an extension of this attacks on Mr. Yount and his son. Mr. Yount and counsel have meet with federal law enforcement officials, Louisiana Child Protection agents, and persons in Louisiana law enforcement because of the stalking and cyber-attacking of Mr. Yount and his son.

Mr. Yount has testified that [*Affidavit paragraphs below*]:

¶16.

Defendant Douglas K. Handshoe is a resident of Bay St. Louis, Mississippi. He publishes an Internet web site know as the Slabbed blog /aka/ Slabbed New Media, LLC. which targets Louisiana as one of its primary audiences and therefore targeted me.

¶17.

Defendant Slabbed.org / Slabbed New Media, LLC is INTERNET WEBSITE which is used by Handshoe and others to cyber-stalk and defame private persons as well as public officials. Five Courts including the federal courts in Mississippi have found that Mr. Handshoe conducts campaigns to destroy and defame private persons from his website Slabbed.org. The Jefferson Parish Court has found that I am a private person and that my domestic case is not a public issue.

¶18.

Despite the fact that I am a private person and my divorce is a private issue, Mr. Handshoe has published and created the false innuendo that I sodomized and permitted others to sodomize my

son. In so doing, Defendants have also violated Louisiana law protecting the identity of minors, and used 24th Judicial District documents to injure not only me but also my son.

¶19.

Mr. Handshoe has committed at least two acts of defamation on the Slabbed blog, a cause of action for defamation that arise out of a violation of Louisiana Civil Code article 2315. Such a violation constitutes a breach of duty, or fault, and may be actionable under C.C. 2315, which provides that "[e]very act whatever of man that causes damage to another obliges him by whose fault it happened to repair it."

¶20.

Mr. Handshoe has intentionally inflicted emotional distress on me, Chris Yount. Mr. Handshoe has done so in concert with my ex-wife, who placed the original drawings into the record of the 24th Judicial District Court unsealed. Mr. Handshoe and his attorney have joined my ex-wife in her attempts to defame me and to influence the courts with statements he posts on his website.

¶21.

Defendant Handshoe has stated that the Slabbed blog has 1 million unique visitors annually.

¶22.

Mr. Handshoe published the drawings on a Slabbed web site page entitled "Very disturbing child welfare issues raised in 24th JDC case."

¶23.

Mr. Handshoe published that "the child has been failed by the justice system," implying that a judicial decision to leave minor child in the sole custody of his father was done in error because I and others were and would sexually molest the minor child. His statements are lies.

¶24.

Mr. Handshoe published a caption beneath the drawing: "A picture drawn by a minor (male) of acts of sodomy contained in a 24th JDC case. Name withheld to protect the minor."

¶25.

Despite falsely pretending to protect the name of my minor son, Mr. Handshoe conspired to reveal the identity of my minor son and he did in fact post my name and identity.

¶26.

Mr. Handshoe's attorney Jack E. "Bobby" Truitt entered the comments section of the web page. Mr. Handshoe published the following under Mr. Truitt's name: "Are you able to tell me which case this came from?" Mr. Truitt's questioning is a ruse used by Truitt and Handshoe to get information online which defames a number of persons, including me and my son.

¶27.

Mr. Handshoe then published the domestic case name: "Yount v Steitle," making clear the minor involved was my son and that the instance of alleged failure in the judicial system was the during my divorce proceedings.

¶28.

On February 18, 2014, Mr. Handshoe's web site, the Slabbed blog, was subsequently taken down by Defendant Handshoe's service provider due to a violation of that web host's terms of service by Handshoe, including infringing the copyright of third parties.

¶29.

On the same day, Handshoe found a new web host and started publishing the Slabbed blog anew.

¶30.

On February 21, 2014, Defendants published the drawing contained in Exhibit A of Mr. Handshoe's current lawsuit again on the Slabbed blog. Mr. Handshoe again filed it as an exhibit in this federal matter in the Southern District of Mississippi.

¶31.

Mr. Handshoe further published: "But that case gets better because Judge Ray Steib recused himself after a disturbing picture drawn by Yount's minor child prompted an outside intervention."

¶32.

Mr. Handshoe further published: "And of course the picture drawn by the child imparts the reason why this became such an important matter. To the extent my own Mother was a recognized special needs director for three K-12 school districts here in Mississippi, I know enough to know there is some serious human psychology at play thus the "important matter" part."

¶33.

Subsequently Judge Molaison reviewed the drawings and ordered them sealed in *Yount v. Steile* as well. He also ordered the parties to do whatever would be necessary to take the postings and drawings from the minor child off of the internet [Exhibit No. 1 - Judgment].

¶34.

Mr. Handshoe republished the drawing contained in Exhibit A at the URL: <http://slabbed.org/wp-content/uploads/2014/02/divorce-imaged-1-23-14.jpg>. In this instance of publication, Mr. Handshoe did not pretend he was not identifying me and my minor son.

¶35.

Mr. Handshoe's falsely published the implication that an "outside intervention" regarding

the sexual molestation of his son caused the relevant judge to rescue himself. This is false. The defamatory innuendo published by the Mr. Handshoe was compounded by referring to the Mr. Yount as his attorney's "in-house troll." I work for a law firm but not for Mr. Abel's firm.

¶36.

Mr. Handshoe's attack on Judge Steib and his statement that the Judge Steib's recusal had to do with the drawing in Exhibit A is false and also defamatory.

¶37.

Mr. Handshoe's statement that he has some imparted expertise in human psychology and that I and others are molesting my son is false and defamatory. When read in the context of previous publications about me on the Slabbed blog, the false and injurious innuendo regarding sodomy is made even more explicit and injurious to Slabbed's audience.

¶38.

Mr. Handshoe's published statements about me are false and unprivileged, reaching a broad audience through the medium of an established web site. Mr. Handshoe's repeated publications were intentional and malicious and sociopathic. Both I and my son have been injured as a result.

¶39.

In particular, Mr. Handshoe's publication is defamatory per se, and accuse me of criminal and morally reprehensible conduct involving my minor son.

¶40.

After Defendants' initial publications in February, 2014, the Court sealed parts of the court record, including the minor child's drawing. At the order of the Court, attorney Abel took action to have the drawing removed from publication by sending notice to the Defendants' web host, including

a notice of copyright infringement regarding publishing the drawing without permission. A copy of the Court Order was given to Handshoe by the web host.

Mr. Handshoe Again Demeans The Louisiana Courts & Its Judges

Mr. Handshoe again demeans the 24th Judicial District Court in Jefferson Parish when he states that Mr. Abel prepared the judgment for the Court [at the instruction of the Court actually is the practice in the Louisiana state courts] and that the order which Judge Molaison approved and signed was a “backfiled court order” suggesting somehow that the judge was in on some type of fraud against pro se ex-wife Ms. Tami Rene Steitle. It is apparent that Mr. Handshoe does not know former ADA and now Judge John Molaison whose integrity is and always has been, unchallenged.

It is also suggestive that Mr. Handshoe repeatedly notes that Ms. Steitle [like Mr. Handshoe] is now appearing pro se. Ms. Steitle has been represented by a number of attorneys in the past—again like Mr. Handshoe—and having failed to pay them, each has withdrawn—also like Mr. Handshoe.

Former Handshoe attorney Mr. Scott Sternberg is on record in the United States District Court for the Eastern District of Louisiana, stating to the Hon. Judge Suzie Morgan, that “if she does not award fees, they would never get paid for the work that the Baldwin Haspel firm did for Mr. Handshoe. Judge Morgan allowed Mr. Sternberg to file his fee motion on Friday afternoon and on Monday morning at 8:30 AM, his motion was denied [EDLA / Abel v Handshoe / Case No. NO.: 2:13-CV-00088 / R. Doc. 61 / “the Court GRANTS Plaintiff’s motion to dismiss and DENIES Defendants’ motions for attorneys’ fees and costs ...”].

This honorable court should immediately order the removal of the drawing from publication, and that the Plaintiff’s filings comply with Federal Rule 5.2(a). The Court should deny Mr.

Handshoe's motion to strike Mr. Abel's Rule 5.2(a) motion and sanction Mr. Handshoe accordingly.

Declaration / Jurat

I, Daniel G. Abel, attorney at law licensed by the State of Louisiana, do hereby declare and verify under penalty of perjury that the foregoing facts and averments set forth by me above, are true and correct to the best of my knowledge and belief, under the provisions of 28 U.C.S. § 1760.

I have executed this declaration on 31 August 2014 and signed hereto.

DANIEL G. ABEL
Daniel G. Abel, LSB No. 8348

Respectfully submitted,

DANIEL G. ABEL
/s/ Daniel G. Abel

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Certificate of Service

DANIEL G. ABEL
/s/ Daniel G. Abel

I have filed this pleading by USPS Mail with the Clerks of Court and also sent a copy by USPS mail to Mr. Handshoe and on 31 August 2014.

CC. US Attorney Kenneth Polite
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New Orleans, LA 70130

US Attorney Gregory K. Davis
US Attorney's Office
501 East Court Street
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Served Long-Arm by USPS Mail
On This 31 August 2014 To the Addresses
Provided on the Summons:

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